IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 404 OF 2006

Shri Kundalik Bhagwan Wankhede ...Applicant.

V/s

State of Maharashtra ...Respondent.

Mr. V.B. Tapkir for the applicant.

Mr. R.Y. Mirza, APP for the State.

CORAM: V.M. KANADE, J.

DATE: 7th February 2006

P.C.:

1. Heard the learned Counsel for the applicant and the learned APP for the State.

2. The applicant is arrested in connection with an offence of murder. It is alleged that the applicant's 12 years old son had demanded a fountain pen from the applicant since his examination was about to commence within a short time. The applicant was infuriated and took his son in the room, closed the door from inside and repeatedly banged him on the floor, after first assaulting him with kicks, fists and blows. The applicant did not pay heed to the pleas of his wife who was standing outside the room. Later on, neighbours came there and forced him to open the room.

By that time, the child had suffered injuries to various part of his body and while he was taken to the hospital, he died. The charge-sheet has been filed.

3. Looking to the nature of offence and the statements of the witnesses and the gruesome manner in which the deceased was killed by the applicant, in my view, this is not a fit case for grant of bail. The application for bail is rejected. The trial, however, is expedited.

V.M. KANADE, J.